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Attorneys for Plaintiff  
JEAN RIKER

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JEAN RIKER,  
Plaintiff,

CASE NO.  
Civil Rights

007-04616

EDL

v.

COMPLAINT FOR PRELIMINARY  
AND PERMANENT INJUNCTIVE  
RELIEF AND DAMAGES: DENIAL  
OF CIVIL RIGHTS AND ACCESS TO  
PUBLIC FACILITIES TO  
PHYSICALLY DISABLED PERSONS,  
AND PER CALIFORNIA STATUTES  
(INCLUDING CIVIL CODE §§ 51, 52,  
54, 54.1, 54.3, AND §55); INJUNCTIVE  
RELIEF PER TITLE III, AMERICANS  
WITH DISABILITIES ACT OF 1990

Defendants.

DEMAND FOR JURY TRIAL

Plaintiff JEAN RIKER complains of Defendants FRIENDLY CAB  
COMPANY, INC; FRIENDLY TRANSPORTATION dba FRIENDLY CAB  
COMPANY; BALJIT SINGH; SURINDER K. SINGH; KEVIN ITO; JOHN DOE  
1; and DOES 2-10, Inclusive, and each of them, and alleges as follows:

1. **INTRODUCTION:** This lawsuit seeks to end a policy by  
Friendly Cab Company of discriminating against disabled wheelchair users,  
including plaintiff Jean Riker, by illegally charging disabled wheelchair users a

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NOTICE OF ASSIGNMENT  
TO MAGISTRATE JUDGE SENT

1 higher taxi fare rate than for other persons. At all times herein mentioned, and  
 2 continuing, defendants charge disabled wheelchair users a mandatory minimum  
 3 \$28 fare even for a short local trip for which a non-disabled patron would be  
 4 charged only \$5. Plaintiff Jean Riker is a "person with a disability" or  
 5 "physically handicapped person." Plaintiff is hemiplegic and requires the use of a  
 6 motorized wheelchair for locomotion and is unable to use portions of public  
 7 transportation services offered to the general public which are not accessible to  
 8 disabled persons who require the use of a wheelchair. On July 10, 2007, plaintiff  
 9 was denied her rights to full and equal access as a paying customer of this taxi cab  
 10 company, by these defendants, and each of them, and was denied her civil rights  
 11 under both California law and federal law, as hereinbelow described, because  
 12 defendants' policies and practices denied full and equal access to physically  
 13 disabled persons who use wheelchairs, and specifically discriminated against all  
 14 such persons, including plaintiff. Plaintiff seeks injunctive relief to require  
 15 defendants to cease their discriminatory policies and practices as to disabled  
 16 persons and to ensure that any disabled person who attempts to use defendants'  
 17 taxi cabs or taxi vans will be provided equal transportation services and rates to  
 18 those provided to non-disabled persons. Plaintiff also seeks recovery of damages  
 19 for her discriminatory experience, and denial of her civil rights, which denial is  
 20 continuing as a result of defendants' continued failure and refusal to provide  
 21 equal transportation services and rates to disabled persons. Plaintiff also seeks  
 22 recovery of reasonable attorney fees, litigation expenses and costs, according to  
 23 statute.

24       **2. JURISDICTION:** This Court has jurisdiction of this action  
 25 pursuant to 28 USC §1331 for violations of the Americans with Disabilities Act  
 26 of 1990, 42 USC 12101, *et seq.* Pursuant to pendant jurisdiction, attendant and  
 27 related causes of action arising from the same facts are also brought under  
 28 California law, including but not limited to violations of California Civil Code §§

1 51, 52, 54, 54.1, 54.3 and 55.

2 3. **VENUE:** Venue is proper in this court pursuant to 28 USC 1391(b)  
3 and is founded on the fact that the business and transportation services which are  
4 the subject of this action are located in this district and that plaintiff's causes of  
5 action arose in this district.

6 4. **INTRADISTRICT:** This case should be assigned to the  
7 Oakland/San Francisco intradistrict as the business and transportation services  
8 which are the subject of this action are located in this intradistrict and plaintiff's  
9 causes of action arose in this intradistrict.

10 5. **PARTIES:** Plaintiff is a qualified physically disabled person who  
11 cannot walk and who requires use of a motorized wheelchair for locomotion.  
12 Defendants FRIENDLY CAB COMPANY, INC; FRIENDLY  
13 TRANSPORTATION dba FRIENDLY CAB COMPANY; BALJIT SINGH;  
14 SURINDER K. SINGH; KEVIN ITO; JOHN DOE 1; and DOES 2-10, Inclusive,  
15 are the owners and operators, lessors, and lessees of the taxi cabs and taxi vans  
16 which provide transportation services, *inter alia*, in Oakland, California, from a  
17 business address of 4849 E. 12<sup>th</sup> St., Oakland, California, and, on information and  
18 belief, also provide transportation services elsewhere in the Bay Area. The taxi  
19 cabs and taxi vans owned and operated by defendants are public transportation  
20 services subject to the requirements of California Civil Code §§ 51, 52, 54, and  
21 54.1, and to the requirements of Title III of the Americans With Disabilities Act  
22 of 1990, including but not limited to §§ 301 through 304.

23 6. The true names and capacities of defendant John Doe 1 and  
24 defendants Does 2 through 10, Inclusive, are unknown to plaintiff who therefore  
25 sues said defendants by such fictitious names. Plaintiff is informed and believes  
26 that each of the defendants herein designated as a Doe is legally responsible in  
27 some manner for the events and happenings herein referred to and caused injury  
28 and damages proximately thereby to plaintiff; plaintiff prays leave of Court to

1 amend this Complaint to show such true names and capacities when the same  
2 have been ascertained.

3 7. Defendants FRIENDLY CAB COMPANY, INC; FRIENDLY  
4 TRANSPORTATION dba FRIENDLY CAB COMPANY; BALJIT SINGH;  
5 SURINDER K. SINGH; KEVIN ITO; JOHN DOE 1; and DOES 2-10, Inclusive,  
6 are and were the owners and/or operators, lessors and lessees of the subject  
7 business and its taxi cabs and taxi vans at all times relevant to this Complaint.  
8 Plaintiff is informed and believes that each of the defendants herein is the agent,  
9 employee or representative of each of the other defendants, and performed all acts  
10 and omissions stated herein within the scope of such agency or employment or  
11 representative capacity, and/or was engaged in a joint venture or common  
12 enterprise with each of the other defendants, and is responsible in some manner  
13 for the acts and omissions of the other defendants in proximately causing the  
14 damages complained of herein.

15  
16 **FIRST CAUSE OF ACTION: DAMAGES AND INJUNCTIVE RELIEF**  
17 **FOR DENIAL OF FULL AND EQUAL SERVICES IN PUBLIC**  
18 **TRANSPORTATION CONVEYANCES**  
**California Civil Code §§ 54.1 and 55**

19 8. Plaintiff repleads and incorporates by reference, as if fully set forth  
20 again herein, the factual allegations contained in Paragraphs 1 through 7, above,  
21 and incorporates them herein by reference as if separately replied hereafter.

22 9. Plaintiff Jean Riker and other similarly situated physically disabled  
23 persons who require the use of a wheelchair are unable to use public  
24 transportation conveyances on a "full and equal" basis unless they are charged no  
25 higher rate than that charged to non-disabled persons for the same distance  
26 traveled. Plaintiff is a member of that portion of the public whose rights are  
27 protected by the provisions of California Civil Code §§ 51 through 55.

28 //



10. **FACTUAL STATEMENT:** On or about July 10, 2007, plaintiff Jean Riker, a disabled person who uses a motorized wheelchair for mobility, took the Amtrak train to the "Jack London Square" Amtrak station in Oakland and needed to take a taxi to her final destination in Oakland. At the curb outside the station, she found a line of taxi cabs and a "taxi van" waiting to pick up paying passengers. She boarded the taxi van in her motorized wheelchair and asked the driver to take her to 19<sup>th</sup> and Jackson Streets, a distance of approximately one mile. The driver, defendant John Doe 1, told plaintiff that the charge would be \$28 per Friendly Cab's policy, even though the taxi's meter, on arrival at plaintiff's destination, confirmed that the normal fare for a non-disabled person would be approximately \$5. Plaintiff paid the driver \$5 for what she felt was the proper and legal fare, plus \$5 as a tip, and told the driver, defendant "John Doe 1," that she would be taking further action in response. Thereafter, plaintiff's representative mailed a check for the full \$28 claimed fare to "Friendly Cab Company" to the attention of its manager, defendant Kevin Ito, and requested confirmation that it was the policy of Friendly Cab Company to charge any disabled wheelchair user a minimum of \$28 for any taxi cab or taxi van service in the City of Oakland. Defendant Kevin Ito, acting on behalf of defendants, and each of them, later confirmed this policy to plaintiff's representatives and to representatives of the City of Oakland.

11. The policies and practices of defendants, and each of them, in setting a higher fare rate for disabled wheelchair users than for other passengers, is a direct violation of California Civil Code § 54.1. This section states, in relevant part:

**§ 54.1. Access to public conveyances, places of public accommodation, amusement or resort, and housing accommodations**

(a)(1) Individuals with disabilities shall be entitled to full and equal access, as other members of the general public, to accommodations, advantages, facilities..., and privileges of all common carriers.

1 airplanes, motor vehicles, railroad trains, motorbuses, streetcars,  
 2 boats, or any other public conveyances or modes of transportation  
 3 (whether private, public, franchised, licensed, contracted, or  
 4 otherwise provided)... and other places to which the general public is  
 5 invited, subject only to the conditions and limitations established by  
 6 law, or state or federal regulation, and applicable alike to all  
 7 persons....

8 (3) "Full and equal access," for purposes of this section in its  
 9 application to transportation, means access that meets the standards  
 10 of Titles II and III of the Americans with Disabilities Act of 1990 [42  
 11 USC 12101, *et seq.*] and federal regulations adopted pursuant  
 12 thereto, except that, if the laws of this state prescribe higher  
 13 standards, it shall mean access that meets those higher standards.  
 14 [Emphasis added]

15 12. Further, each and every violation of the Americans With Disabilities  
 16 Act of 1990 (as pled in the Third Cause of Action hereinbelow, the contents of  
 17 which are incorporated herein, word for word, as if separately repled), also  
 18 constitutes a separate and distinct violation of California Civil Code §54(c), thus  
 19 independently justifying an award of damages and injunctive relief pursuant to  
 20 California law, including but not limited to Civil Code §§ 54.3 and 55.

21 13. Further, each and every violation of the Americans With Disabilities  
 22 Act of 1990 (as pled in the Third Cause of Action hereinbelow, the contents of  
 23 which are incorporated herein, word for word, as if separately repled), also  
 24 constitutes a separate and distinct violation of California Civil Code §54.1(d),  
 25 thus independently justifying an award of damages and injunctive relief pursuant  
 26 to California law, including but not limited to Civil Code §§ 54.3 and 55.

27 14. **INJUNCTIVE RELIEF:** Plaintiff seeks injunctive relief to prohibit  
 28 the acts and omissions, policies and practices of defendants as complained of  
 herein which are continuing on a day-to-day basis and which have the effect of  
 wrongfully excluding plaintiff and other members of the public who are  
 physically disabled wheelchair users from full and equal transportation services  
 and rates. Such acts and omissions, policies and practices are the cause of  
 humiliation and mental and emotional suffering of plaintiff in that these acts and

omissions, policies and practices continue to treat plaintiff as an inferior and second class citizen and serve to discriminate against her on the sole basis that she is a person with disabilities and requires the use of a wheelchair for movement in public places. Plaintiff is unable, so long as such acts and omissions, policies and practices of defendants continue, to achieve equal access to and use of the subject transportation services. Plaintiff cannot use these services in the future until defendants cease their discriminatory policies and practices. Plaintiff alleges that she intends to patronize defendants' Friendly Cab Company taxi cabs and taxi vans in the future, once proper policies and practices for non-discriminatory transportation services have been provided. Plaintiff is also concerned that defendants may retaliate against disabled persons by providing and maintaining in service a reduced number or quality of disabled accessible taxi vans and taxi cabs if plaintiff is successful in requiring that defendants cease and desist from applying or enforcing their subject discriminatory policies and practices, and therefore seeks to enjoin defendants from this or any other retaliatory action. Defendants' policies, practices, and actions have proximately caused and will continue to cause irreparable injury to plaintiff if not enjoined by this Court.

15. Wherefore plaintiff asks this Court to preliminarily and permanently enjoin any continuing refusal by defendants to provide full and equal access to transportation services to plaintiff in the respects complained of and to require defendants to cease their discriminatory policies and practices in regard to rates charged to disabled wheelchair users. Such injunctive relief is provided by California Civil Code §55, and other law. Plaintiff further requests that the court award attorney fees, litigation expenses, and costs pursuant to California Civil Code §§ 54.3 and 55, California Code of Civil Procedure §1021.5 and other law, all as hereinafter prayed for.

16. **DAMAGES:** As a result of the denial of equal access to public



1 transportation services, and due to the acts and omissions, policies and practices  
2 of defendants and each of them in owning, operating, maintaining and leasing, the  
3 subject business and subject transportation services, plaintiff suffered a violation  
4 of her civil rights, including but not limited to rights under Civil Code §§ 54 and  
5 54.1, all to her damages per Civil Code §54.3, including damages for loss of her  
6 civil rights, and mental and emotional injuries, statutory damages, and statutory  
7 treble damages, as hereinafter stated. On information and belief, prior to the  
8 incidents alleged herein, defendants had actual and/or constructive knowledge  
9 that their policies and practices illegally discriminated against physically disabled  
10 wheelchair users, but maintained such policies and practices despite such  
11 knowledge. Their discrimination was knowingly and intentionally carried out and  
12 justifies imposition of statutory treble damages as to each of them. Defendants'  
13 actions and omissions to act constitute discrimination against plaintiff on the sole  
14 basis that she was and is physically disabled and must use a motorized wheelchair  
15 for mobility.

16       17. **FEES AND COSTS:** As a result of defendants' acts, omissions, and  
17 conduct, plaintiff has been required to incur attorney fees, litigation expenses, and  
18 costs as provided by statute, in order to enforce plaintiff's rights and to enforce  
19 provisions of the law protecting access for disabled persons and prohibiting  
20 discrimination against disabled persons. Plaintiff therefore seeks recovery of all  
21 reasonable attorney fees, litigation expenses, and costs, pursuant to the provisions  
22 of California Civil Code §§ 54.3 and 55. Additionally, plaintiff's lawsuit is  
23 intended to protect the public interest by compelling defendants to cease their  
24 unlawful policies and practices which may impact many other disabled  
25 wheelchair users, justifying "public interest" attorney fees, litigation expenses and  
26 costs pursuant to the provisions of California Code of Civil Procedure §1021.5  
27 and other applicable law.

28       Wherefore plaintiff prays for relief as hereinafter stated:



**SECOND CAUSE OF ACTION:  
VIOLATION OF UNRUH CIVIL RIGHTS ACT  
CALIFORNIA CIVIL CODE SECTIONS 51 AND 52,  
ON THE BASIS OF DISABILITY**

18. Plaintiff repleads and incorporates by reference, as if fully set forth again herein, the factual allegations contained in Paragraphs 1 through 17, above, and incorporates them herein by reference as if separately repled hereafter.

19. At all times herein mentioned, the Unruh Civil Rights Act, California Civil Code §51(b), provided that:

All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, or medical condition are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

Per §51(f),

A violation of the right of any individual under the Americans With Disabilities Act of 1990 (Public Law 101-336) shall also constitute a violation of this section.

20. Plaintiff suffered damages as above described as a result of defendants' violation of California Civil Code §§ 51(b) and 51(f) in multiple regards, including but not limited to violations of the ADA, as described in the Third Cause of Action, *infra*, the contents of which cause of action is incorporated herein as if separately repled. California Civil Code §52(a) provides that each such violation entitles plaintiff to "the actual damages, and any amount that may be determined by a jury, or a court sitting without a jury, up to a maximum of three times the amount of actual damage but in no case less than four thousand dollars (\$4,000), and any attorney's fees that may be determined by the court in addition thereto..."

WHEREFORE, plaintiff prays for damages and injunctive relief as hereinafter stated.

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**THIRD CAUSE OF ACTION:  
VIOLATION OF THE AMERICANS WITH DISABILITIES ACT OF 1990  
42 USC §12101ff**

21. Plaintiff repleads and incorporates by reference, as if fully set forth again herein, the allegations contained in Paragraphs 1 through 20 of this Complaint, and incorporates them herein as if separately repled.

22. Pursuant to law, in 1990 the United States Congress made findings per 42 USC §12101 regarding physically disabled persons, finding that laws were needed to more fully protect “some 43,000,000 Americans [with] one or more physical or mental disabilities;” that “historically, society has tended to isolate and segregate individuals with disabilities;” that “such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem;” that “the Nation’s proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals;” and that “the continuing existence of unfair and unnecessary discrimination and prejudice denies people with disabilities the opportunity to compete on an equal basis and to pursue those opportunities for which our free society is justifiably famous...”

23. Congress stated as its purpose in passing the Americans with Disabilities Act [42 USC §12101(b)]:

It is the purpose of this Act

(1) to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities;

(2) to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities;

(3) to ensure that the Federal Government plays a central role in enforcing the standards established in this Act on behalf of individuals with disabilities; and

(4) to invoke the sweep of congressional authority, including the power to enforce the fourteenth amendment and to regulate commerce, in order to address the major areas of discrimination faced day-to-day by people with disabilities. (Emphasis added)

1           24. As part of the Americans with Disabilities Act, Public Law 101-336,  
2 (hereinafter the "ADA"), Congress passed "Title III - Public Accommodations  
3 and Services Operated by Private Entities" [42 USC 12181ff]. The subject taxi  
4 cab and van transportation services company is one of the "private entities" which  
5 are considered a "Demand Responsive System" as defined at ADA § 301(3) [42  
6 USC 12181] to mean "any system of providing transportation of individuals by a  
7 vehicle, other than a system which is a fixed route system."

8           25. Pursuant to §302 [42 USC §12182], "No individual shall be  
9 discriminated against on the basis of disability in the full and equal enjoyment of  
10 the goods, services, facilities, privileges, advantages, or accommodations of any  
11 place of public accommodation by any person who owns, leases, or leases to, or  
12 operates a place of public accommodation."

13           26. Discrimination in pricing for a taxi ride, charging a higher fare for a  
14 disabled person using a wheelchair than for a non-disabled person, also violates  
15 ADA § 302 [42 USC 12182] in multiple respects, including but not limited to the  
16 following:

17           § 302(b)(1)(A)(i): "DENIAL OF PARTICIPATION. -- It shall be  
18 discriminatory to subject an individual or class of individuals on the basis of a  
19 disability or disabilities of such individual or class, directly, or through  
20 contractual, licensing, or other arrangements, to a denial of the opportunity of the  
21 individual or class to participate in or benefit from the goods, services, facilities,  
22 privileges, advantages, or accommodations of an entity."

23           § 302(b)(1)(A)(ii): "PARTICIPATION IN UNEQUAL BENEFIT -- It shall  
24 be discriminatory to afford an individual or class of individuals, on the basis of a  
25 disability or disabilities of such individual or class, directly, or through  
26 contractual, licensing, or other arrangements with the opportunity to participate in  
27 or benefit from a good, service, facility, privilege, advantage, or accommodation  
28 that is not equal to that afforded to other individuals."



§ 302(b)(1)(A)(iii): “SEPARATE BENEFIT -- It shall be discriminatory to provide an individual or class of individuals, on the basis of a disability or disabilities of such individual or class, directly, or through contractual, licensing, or other arrangements with a good, service, facility, privilege, advantage, or accommodation that is different or separate from that provided to other individuals, unless such action is necessary to provide the individual or class of individuals with a good, service, facility, privilege, advantage, or accommodation, or other opportunity that is as effective as that provided to others.”

27. Among the specific prohibitions against discrimination “For purposes of subsection (a) of this section,” discrimination includes §302(b)(2)(A)

(i) the imposition or application of eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless such criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations being offered;

(ii) a failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations

28. ADA § 301(3) [42 USC 12181(3)] defines a “Demand Responsive System - The term ‘demand responsive system’ means any system of providing transportation of individuals by a vehicle, other than a system which is a fixed route system.” Section 302(b)(2)(C) “Demand Response Systems,” states that

For purposes of subsection (a) of this section, discrimination includes –

(i) a failure of a private entity which operates a demand responsive system and which is not subject to section 304 [section 12184 of this title] to operate such system so that, when viewed in its entirety, such system ensures a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service provided to individuals without disabilities...

29. Further, defendants policies and practices were and are in violation

1 of ADA § 304 [42 USC 12184]:

2 SEC 304. § 12184. Prohibition of discrimination in specified public  
3 transportation services provided by private entities

4 (a) General rule - No individual shall be discriminated against on the  
5 basis of disability in the full and equal enjoyment of specified public  
6 transportation services provided by a private entity that is primarily  
7 engaged in the business of transporting people and whose operations  
8 affect commerce.

9 (b) Construction - For purposes of subsection (a) of this section,  
10 discrimination includes

11 (1) the imposition or application by a entity described in  
12 subsection (a) of this section of eligibility criteria that screen out or  
13 tend to screen out an individual with a disability or any class of  
14 individuals with disabilities from fully enjoying the specified public  
15 transportation services provided by the entity, unless such criteria  
16 can be shown to be necessary for the provision of the services being  
17 offered;

18 (2) the failure of such entity to—(A) make reasonable  
19 modifications consistent with those required under section  
20 12182(b)(2)(A)(ii) of this title...

21 30. On information and belief, as of the date of plaintiff's subject  
22 encounter with defendants, and as of the filing of this Complaint, defendants have  
23 denied and continue to deny full and equal access to transportation services to  
24 plaintiff and to other disabled persons, including wheelchair users, in other  
25 respects, which violated plaintiff's rights to full and equal access and which  
26 discriminated against plaintiff on the basis of her disability, thus wrongfully  
27 denying to plaintiff the full and equal enjoyment of the goods, services, facilities,  
28 privileges, advantages and accommodations, in violation of §302 of the ADA, 42  
USC §12182.

31. Pursuant to the Americans with Disabilities Act, 42 USC 12188ff,  
§308, Plaintiff is entitled to the remedies and procedures set forth in §204(a) of  
the Civil Rights Act of 1964, 42 USC 2000(a)-3(a), as plaintiff is being subjected  
to discrimination on the basis of disability in violation of this title and has  
reasonable grounds for believing that she is about to be subjected to  
discrimination in violation of §302. On information and belief, defendants have  
continued to violate the law and deny the rights of plaintiff and other disabled

1 persons to full and equal access to this public transportation service since on or  
2 before plaintiff's encounter as previously noted.

3 32. Plaintiff seeks relief pursuant to remedies set forth in §204(a) of the  
4 Civil Rights Act of 1964, (42 USC 2000(a)-3(a), and pursuant to Federal  
5 Regulations adopted to implement the Americans with Disabilities Act of 1990.  
6 Plaintiff is a qualified disabled person for purposes of §308(a) of the ADA who is  
7 being subjected to discrimination on the basis of disability in violation of Title III  
8 and who has reasonable grounds for believing she will be subjected to such  
9 discrimination each time that she may attempt to use a taxi cab or van operated by  
10 defendants, and each of them.

11 Wherefore plaintiff prays for relief as hereinafter stated:

12  
13  
14 **PRAYER**

15 Plaintiff prays that this Court:

16 1. Issue a preliminary and permanent injunction directing defendants as  
17 owners and/or operators and or agents of the Friendly Cab Company and its taxi  
18 cabs and taxi vans to modify their policies and practices as to charging a higher  
19 rate and minimum charge for disabled wheelchair users than for other persons, so  
20 that said defendants provide full and equal access to their transportation services  
21 to all persons, including persons with physical disabilities who use a wheelchair;  
22 and issue a preliminary and permanent injunction directing defendants to cease  
23 and desist their policies and practices toward similarly situated persons with  
24 disabilities, and provide full and equal access to public transportation services, as  
25 required by law, including appropriate changes in policy and practices;

26 2. Retain jurisdiction over the defendants until such time as the Court is  
27 satisfied that defendants' unlawful policies, practices, acts and omissions, as  
28 complained of herein no longer occur, and can not recur;



